IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.8140 of 2004

Bharatiya Kamgar Sena ..Petitioner

vs.

1. Poona Employees Union
and others ..Respondents

Shri C.U.Singh with Shri M.D.Nagle for petitioner
Shri Madam Phadnis with Shri L.T.Satelkar for respondent no.1
Shri Sudhir Talsania i/b Shri Sanjay Udeshi for respondent no.2.

CORAM: A.P.SHAH AND
S.C.DHARMADHIKARI JJ
14th OCTOBER, 2004

P.C.

1. Heard Advocates.

2. By the impugned order Industrial Court has temporarily restrained the petitioner Union from entering into any settlement with the company till disposal of the main application. The Industrial Court has expedited the hearing of the main application and it is to be decided within 3 months. We are informed that the investigating officer has already been appointed and the workers have filed their affidavits on record. Under the circumstances, we are not inclined to interfere with the interlocutary directions given by the Industrial Court. However, we clarify that the

petitioner Union would be free to act in all other respects as a recognised union and may negotiate with the company but shall not sign the settlement without permission of the Industrial Cosurt before which the present proceedings for cancellation of its recognition are pending.

3. Petition is accordingly ‘ disposed of.